

Commissioners Meeting Minutes
August 14, 2006

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Holmes, Frye, Kemp, Davis, and Lanier were present. Rev. Ben Chavis, Randolph County Tax Supervisor, gave the invocation, and everyone recited the Pledge of Allegiance.

GFOA Certificate for FY 2004-2005

Will Massie, County Finance Officer/Assistant County Manager, announced that Randolph County's comprehensive annual financial report has been awarded a Certificate of Achievement for Excellence in Financial Reporting for the 17th consecutive year by the Government Finance Officers Association (GFOA) of the United States and Canada. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Announcement of Digital Government Award to Randolph County

Chairman Harold Holmes announced that Randolph County has been named one of the top ten counties in the less than 150,000 population category of the nation as best practice models for showing how county leaders are using technology to transform government. The Center for Digital Government, NACo, and *Government Technology* magazine recently surveyed the nation's counties to determine how governments are evolving in their use of information technology to improve the overall delivery of services to their citizens. Chairman Holmes and County Manager Richard Wells accepted Randolph County's award at NACo's annual conference in Chicago earlier in the month.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment. No one spoke, and Chairman Holmes closed the public comment period.

Approval of Consent Agenda

On motion of Davis, seconded by Frye, the Board voted unanimously to approve the Consent Agenda, as follows:

- *approve minutes of 7/10/06 special meeting and closed session and minutes from 7/10/06 regular and closed session meetings;*
- *reappoint Phil Kemp, Garland Yates, Judge Brad Long, and Sheriff Litchard Hurley to Criminal Justice Partnership Advisory Board;*
- *approve Budget Amendment #3—Public Health (Pandemic Flu), as follows:*

GENERAL FUND - # 3	
<i>Revenues</i>	<i>Increase</i>
<i>Restricted Intergovernmental</i>	<i>\$ 4,252</i>
<i>Appropriations</i>	<i>Increase</i>
<i>Public Health</i>	<i>\$4,252</i>

- *approve Budget Amendment #4—Encumbrances, as follows:*

GENERAL FUND - # 4

Revenues	Increase
<i>Appropriated Fund Balance</i>	<i>\$2,942,325</i>
Appropriations	Increase
<i>Administration</i>	<i>\$75,320</i>
<i>Information Technology</i>	<i>\$123,493</i>
<i>Elections</i>	<i>\$186,695</i>
<i>Tax</i>	<i>\$1,300</i>
<i>Public Buildings-Maintenance</i>	<i>\$919,740</i>
<i>Sheriff</i>	<i>\$2,267</i>
<i>Emergency Services</i>	<i>\$97,393</i>
<i>Public Works</i>	<i>\$172,285</i>
<i>Public Health</i>	<i>\$52,000</i>
<i>Cooperative Extension</i>	<i>\$6,834</i>
<i>Social Services</i>	<i>\$18,296</i>
<i>Veterans Services</i>	<i>\$1,952</i>
<i>Public Library</i>	<i>\$1,000</i>
<i>Soil & Water</i>	<i>\$17,000</i>
<i>Other Economic & Physical</i>	<i>\$1,266,750</i>

- approve Budget Amendment #5—Cooperative Extension, as follows:

GENERAL FUND - # 5	
Revenues	Increase
<i>Miscellaneous</i>	<i>\$5,580</i>
Appropriations	Increase
<i>Cooperative Extension Service</i>	<i>\$5,580</i>

- approve Budget Amendment #6—Public Health (WIC), as follows:

GENERAL FUND - # 6	
Revenues	Increase
<i>Restricted Intergovernmental</i>	<i>\$ 18,906</i>
Appropriations	Increase
<i>Public Health</i>	<i>\$18,906</i>

Request for Easement Across County Property

Larry McKenzie, speaking on behalf of himself and Bill Tyler, asked the Board to consider granting an easement across County property from New Century Drive to property located behind the County jail. He said that once they have the County's consent on the easement, they plan to ask the City of Asheboro to rezone the property for commercial use. Long-range plans are to build a hotel and restaurant on the 20-acre site. He said that the City of Asheboro has indicated that they will provide supplies for water and sewer lines to the property at an estimated cost of approximately \$38,000. Mr. McKenzie also said that he and Mr. Tyler plan to invest \$125,000 in grading, engineering/surveying, and labor for water and sewer installation costs.

The Board voiced concerns about potential increased traffic congestion on McDowell Road, liability issues with the jail being so close to the property and the absence of a specific site plan.

On motion of Frye, seconded by Davis, the Board voted unanimously to postpone a decision on this issue for 30 days and to authorize the County Manager, along with County Planning Director Hal Johnson, and Staff Attorney Aimee Scotton, to meet with the developers and the City of Asheboro on this matter.

Revisions to Aging Services Planning Committee (ASPC) Bylaws and Board Appointments

Candie Rudzinski, ASPC Chair, asked the Board to approve revisions to the Committee's bylaws, effecting the following changes: 1) Article IV. Section 1. Increase the number of voting members from 14 to 17, thereby providing one Caregiver representative and at least one representative from the Archdale-Trinity area; 2) Article IV. Section 1. Increase the term of office for voting members from 1 year to 2; 3) Article IV. Section 2. Increase the term of office for non-voting members from 1 year to 2. Ms. Rudzinski also presented a list of recommendations for appointments to the ASPC for the Board's consideration. Additionally, for information only and at the request of the Board, she presented a list indicating where the current and proposed members reside within the county.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the requested changes to Article IV. Sections 1 & 2 of the Aging Services Planning Committee Bylaws and to make the following appointments to the committee for 2-year terms: Sandra Allen, Adrienne Calhoun, Charlie Casper, Kendria Eckhard, Brett Eckerman, Janet Henley, Ann Hoover, Betty Hunt, Duffy Johnson, Rev. Ralph Kraft, Addie Luther, Joy Ratliffe, Candie Rudzinski, Dr. Ann Suggs, Carolyn Vickrey, Emma Washington, Richard Wells, Betty Bunting*, Marion McIntosh*, Billie Nance*, Don Monroe*, Chris Corsbie*, Donald Gray*, and Jim Wall* (* denotes new appointment).*

Public Hearing On 2007 Revaluation

At 5:00 p.m., Chairman Holmes opened a duly advertised public hearing on the 2007 Revaluation. Hearing no comments, the Chairman closed the public hearing. The Commissioners will consider approving Orders adopting the true value and present use schedules, standards and rules at their September 5, 2006 meeting.

Request from Randolph County Schools for Option to Purchase Additional Land at New Archdale-Trinity High School Site

Donald Andrews, Randolph County Schools Superintendent, asked the Board's consent to consider an option to purchase 100 acres of land for the new Archdale-Trinity area high school and another option to purchase an additional 25 acres at the same location for possible future construction of a middle school.

On motion of Frye, seconded by Lanier, the Board voted unanimously to support a request from the Randolph County Schools for Options to purchase up to 125 acres of property for the new Archdale-Trinity area high school and a possible future middle school.

Presentation of Planning Process for Work First Program for FY 2007-2009

Martha Sheriff, Social Services Director, said that it is time again to begin the Work First Biennial Planning for the Federal Fiscal years 2007-2009. Each County must notify the Department of Health and Human Services (DHHS) as to whether they select Standard or Electing County status by August 31, 2006. This decision must have the support of three-fifths of the county commissioners. Ms. Sheriff recommended that Randolph remain a Standard county. She also presented a list of recommendations for appointments to the Work First Planning Committee.

On motion of Kemp, seconded by Davis, the Board voted unanimously to remain a Standard county for the Work First Program for FY 2007-2009, and to appoint the Work First Planning Committee, as follows: Rev. Scott Wagoner, Dr. Ann Suggs, Rachael Fesmire, Curt Lorimer, George Gusler, County Commission Arnold Lanier, Janice Scarborough, Roger King, Heather Gunter, Lisa Royal, Gerri Britt and Libby Davis.

Adoption of 2006 Scattered Site Housing Grant Ordinance and Resolution Approving Grant Administration Guidelines and Policies

David Townsend, III, Public Works Director, said that the County has received funding approval for the 2006 Scattered Site Housing Grant in the amount of \$400,000 and asked the Board to consider adoption of the

- *Code of Conduct/Conflict of Interest Policy (ATTACHED)*
- *Procurement Policy (ATTACHED)*

- *Resolution for Requisitions and Check Signatures authorizing J. Harold Holmes, Richard T. Wells, William L. Massie and Patty Brown to act as signatories (ATTACHED)*
- *Resolution to Authorize Funding Approval and Grant Agreement authorizing J. Harold Holmes to sign and issue a Performance Based Contract (ATTACHED)*
- *Resolution of Commitment to Further Fair Housing naming David Townsend III as the Fair Housing Officer (ATTACHED)*
- *Plan to Further Fair Housing (ATTACHED)*
- *Residential Antidisplacement and Relocation Assistance Plan (ATTACHED)*
- *Citizen Participation Plan (ATTACHED)*
- *Flood Plain Certification (ATTACHED)*
- *Resolution of Commitment to Adopt a Policy Prohibiting Undue Force (ATTACHED)*
- *Section 519 Certification (ATTACHED)*
- *Section 3 Plan for Employment Opportunities (ATTACHED)*
- *Equal Opportunity and Procurement Plan (ATTACHED)*
- *Funding Approval Certification (ATTACHED)*
- *Section 504 Compliance/Self Evaluation (ATTACHED)*
- *Compliance Officer/Grievance Procedure (ATTACHED)*
- *Rehabilitation Guidelines (ATTACHED)*
- *Revitalization Program Guidelines (with Attachment 1 and Appendix A) (ATTACHED)*
- *Administration Certification (ATTACHED)*
- *Optional Coverage Relocation Plan (ATTACHED)*
- *Amendment Condition Certification (ATTACHED)*

BE IT FURTHER RESOLVED that the Randolph County Board of Commissioners hereby reaffirms the Drug and Alcohol Testing Policy adopted September 3, 2002 for the County's Community Development Scattered Site Housing Program.

Set Hearing Date for Public Health Nuisance Abatement

Aimee Scotton, Associate County Attorney, told the Board that the Randolph County Health Department, in response to a citizen complaint, has discovered and investigated property that they believe is dangerous and prejudicial to public health and safety. Efforts to remedy this situation through contact with the owners have been unsuccessful. North Carolina General Statute 153A-140 gives the County the authority to remove, abate, or remedy everything that is dangerous or prejudicial to the public health or safety. This authority is exercised by the Board of Commissioners upon adequate notice, right to a hearing and the right to appeal to the General Court of Justice. She asked the Board that they set a hearing to hear evidence on this matter and to render a decision on whether or not to abate this nuisance.

On motion of Davis, seconded by Kemp, the Board voted unanimously to set 4:30 p.m. on September 5, 2006, as the date and time to hear evidence on a matter relating to a public health nuisance abatement.

Grant Easement to City of Trinity

Aimee Scotton told the Board that the City of Trinity has requested that Randolph County grant the City a sanitary sewer easement across the Hopewell School property that the County owns on Welborn Road. The site was acquired by the County from the Randolph County Board of Education by deed in March 2000. The proposed easement has been prepared by Trinity City Attorney Bob Wilhoit. NC General Statute 160A-274 allows any governmental unit to convey any interest it owns in real or personal property to another governmental unit at its discretion, with or without consideration. The only requirement is that action under this section be taken by the governing body of the governmental unit.

On motion of Frye, seconded by Lanier, the Board voted unanimously to grant a sanitary sewer easement to the City of Trinity and authorized the Chairman to sign the easement documents.

Set Date for Public Hearing on Debt Service Payment for W. Randleman Business Park

On motion of Davis, seconded by Kemp, the Board voted unanimously to set 5 p.m. on September 5, 2006 as the date and time for a public hearing concerning the debt service payment for the West Randleman Business Park.

Invitation to RCS Watermelon Seed Spitting Contest

Chairman Holmes extended an invitation to attend the 3rd Annual Regional Consolidated Services Watermelon Seed Spitting Contest between the Board of Commissioners and the Asheboro City Council, to be held on 8/26 at 9:00 a.m.

Recess

The Board recessed at 5:32 p.m.

Rezoning Public Hearing

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning and Zoning Director, presented the following requests, and Chairman Holmes opened the public hearing for comments on each request and closed it before taking action on each request.

1. Hal Johnson announced that the **CITY OF ASHEBORO** has withdrawn its request for the County to extend Asheboro's Extra Territorial Zoning Jurisdiction for the following properties: Larry & Julie Pickett, Jr. (79.41 acres located at Randolph Tabernacle Road) and David & Ginger Gail Lawson, Jr. (106.13 acres located at 2513 Old Cedar Falls Road).

2. **CES INVESTMENTS**, Asheboro, North Carolina, is requesting that 9.6 acres located on Lions Rest Road, Grant Township, be rezoned from E-1 to CVOR-CD. Zoo Growth Area. Tax ID# 7668927118. The proposed Conditional Zoning District would specifically allow the development of a 5-lot residential subdivision for double-wide mobile homes, modular homes and site-built homes with a minimum house size of 1,300 sq. ft. Property Owner - Roger D. Dehart. The Planning Board reviewed this request at public meeting on July 11, 2006, and unanimously recommended that this request be approved as consistent with standards and policies contained within the Growth Management Plan.

Policies within the Growth Management Plan supporting approval of this request:

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.

Policy 6.13 Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.

Policy 6.14 Residential subdivisions should, in order to promote efficiencies in the delivery of urban services, be encouraged to develop in a fashion which minimizes "leap frog" development (i.e. leaving large vacant areas between developments).

Jerry King, surveyor, speaking on behalf of the applicant, said that the subdivision would upgrade the community. Both water and sewer are available to the location.

On motion of Davis, seconded by Frye, the Board voted unanimously to approve the request of CES Investments, as consistent with the adopted comprehensive plans and as outlined in the recommendations provided by the County Planning Board.

3. **CENTRAL CAROLINA CARRIERS**, Asheboro, North Carolina, is requesting that 10 acres (out of 42.76 acres) located at the end of Joe Farlow Road, Richland Township, be rezoned from RA to HI-CD. Primary Growth Area. Tax ID# 7666057269. The proposed Conditional Zoning District would specifically allow the construction of a 100' x 250' building for a trucking facility. Property Owners - Diane Farlow & Others. The Planning Board reviewed this request at public meeting on July 11, 2006, and unanimously recommended that

this request be approved as consistent with standards and policies contained within the Growth Management Plan.

Policy within the Growth Management Plan supporting approval of this request:

Policy 3.2 Industrial development should be on land that is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land should be encouraged.

Jerry King, surveyor, speaking on behalf of the applicant, said that the business is currently operating about 1 mile north of the new proposed facility. The company will operate about 6 days a week and there will be only 14-16 trailers at the new facility at one time. They do a lot of hauling for Klaussner Furniture. A sewer line is currently being installed. The parking lot will have low level lighting and will be gated.

On motion of Lanier, seconded by Davis, the Board voted unanimously to approve the request of Central Carolina Carriers, as consistent with the adopted comprehensive plans and outlined in the recommendations provided by the County Planning Board.

4. **H. L. DELK**, Asheboro, North Carolina, is requesting that 1.9 acres located on US Hwy 64 West/Westchapel Road, Cedar Grove Township, be rezoned from RA to HC-CD. Primary Growth Area. Tax ID#’s 7731919282. The proposed Conditional Zoning District would specifically allow a 100' x 150' building for retail and service shops as per site plan. The Planning Board reviewed this request at public meeting on May 2, 2006, and recommended by a vote of 4 to 3 that the portion of property north of Hwy 64 be denied due to the lack of a detailed plan concerning access, lighting, buffers, landscaping, and setbacks.

Policies within the Growth Management Plan that would support approval of this request:

Policy 4.1 Commercial development should be encouraged to occur in clusters or planned shopping centers to minimize the proliferation of “retail strip” locations.

Policy 4.2 Highway oriented commercial uses should be clustered along segments of arterial streets and contain land uses that are mutually compatible and reinforcing in use and design. They should be designed in a way that minimizes signage, access points and excessive lengths of commercial strip development.

Policy 4.4 Commercial uses should be encouraged to develop by consolidation and deepening of existing commercially zoned property, only when such consolidation and deepening can be developed in a way that lessens the effect of incompatibility with adjoining residential land uses.

Previous Commissioners’ Action: The Commissioners heard this request at public hearing on June 5, 2006, and by a vote of 4 to 1 denied the rezoning request for the portion of property north of Hwy 64 due to the lack of a detailed plan concerning access, lighting, buffers, landscaping, and setbacks.

Request for Zoning Re-Hearing: Article XIII, Section 4(l) of the Zoning Ordinance requires that no such proposed change in the zoning ordinance or map if denied by action of the Board of County Commissioners may be resubmitted within a period of one (1) year from the date of denial, unless the County Commissioners shall unanimously find that changing conditions in the area or new information concerning the property requested for rezoning warrant a resubmission for change in the zoning ordinance or map. Since the June meeting, Mr. Delk has submitted a new site plan, which addresses Commissioners' concerns; Mr. Delk is now requesting that the Board reconsider the new plan.

On motion of Frye, seconded by Davis, the Board voted unanimously to rehear the request of H.L. Delk, due to the substantial change to his proposed site plan.

Hal Johnson stated that the site plan includes a 35’ no-cut buffer along the east side of the property. It also proposes directional lighting towards the business.

Henry Delk, applicant, said that none of the opposing neighbors ever asked him what he was going to do with the property. He wants to build a building to rent out to no more than 2 tenants.

Alan Scarborough asked the Board if the parking lot would be gravel or paved. He has concerns with the limited site distance and the additional traffic these businesses will cause. He said there have been many serious

accidents nearby on Hwy 64 in the last 5 years. He said that the area is a residential area where residents want a quiet place to raise their kids.

Linda Skeen talked about concerns that she and her husband have about potential increased traffic. She was particularly concerned because of school bus stops along Westchapel Road. Also, she said that tractor-trailers would have to make wide turns into the business, creating potentially hazardous conditions. She said that this is a good neighborhood with many children and they would like to keep it that way. She has well and septic concerns and argued that if the County insists on turning the area into a commercial area, they should provide water and sewer to the area. It took her a year to get approval for their well and septic tank.

Henry Delk spoke again, saying that he expects to pave the parking lot if he gets the sewer permit.

On motion of Kemp, seconded by Lanier, the Board voted unanimously to approve the request of Henry Delk.

Announcement of Lawsuit Against County

Alan Pugh, County Attorney, said that Earnhardt Builders, Inc. has filed a complaint against the County in protest of the County's decision on a rezoning request made at their July 10, 2006 meeting.

Citizen Concern

Margaret Rogers addressed the Board, saying that she's being discriminated against because she can't find a decent job. She was advised by Board members and the County Attorney to contact the Employment Security Commission for assistance.

Adjournment

There being no further business, the meeting adjourned at 7:10 p.m.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Robert B. Davis

Arnold Lanier

Cheryl A. Ivey, Clerk to the Board